

APPROVED: Meeting No. 33-97

ATTEST: *Paula Jewell*

MAYOR AND COUNCIL
ROCKVILLE, MARYLAND
Meeting No. 22-97

May 12, 1997

The Mayor and Council of Rockville, Maryland, convened in General Session in the Council Chamber, Rockville City Hall, 111 Maryland Avenue, Rockville, Maryland, on May 12, 1997, at 7:40 p.m.

PRESENT

Mayor Rose G. Krasnow

Councilmember Robert E. Dorsey

Councilmember James T. Marrinan

Councilmember Robert J. Wright

Councilmember Glennon J. Harrison

In attendance: City Manager Rick Kuckkahn, City Clerk Paula Jewell and City Attorney Paul Glasgow.

Mayor Krasnow expressed the Mayor and Council's sympathy to the family of Matthew McCartin who served as Mayor of Rockville from 1972 to 1974, and as Councilmember from 1964 to 1972. Mr. McCartin passed away on April 26. During his tenure on the City Council, Mr. McCartin engineered the adoption of the first comprehensive fair housing ordinance in the nation. He was also very active at St. Mary's Church and in community affairs.

Mayor Krasnow mentioned that the Mayor and Council, with the exception of Councilmember Harrison, recently returned from their visit to Pinneberg, Germany--Rockville's Sister City. She said that the trip was very informative. All members of the delegation stayed with host families in the Pinneberg area, and they brought back many

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ideas, including some for traffic calming measures and bikeways. Mayor Krasnow said that Rockville looked forward to welcoming a delegation from Pinneberg next week.

Re: City Manager's Report

1. Mr. Kuckkahn introduced and welcomed Donna Boxer, Rockville's new Finance Director. Ms. Boxer comes to the City from the County's Housing Opportunities Commission where she served as the Finance Director.

2. Rockville celebrates Hometown Holidays during the Memorial Day weekend. The three-day family fun festival included a concert headlined by Michael MacDonald, formerly of the Doobie Brothers and Steely Dan. Local artist Nels Lofgren, who performed with musicians such as Bruce Springsteen, Ringo Starr and Neil Young, will provide opening act entertainment. On Sunday, the National Chamber Orchestra, in concert with canons, will entertain the crowd. There will be fireworks and a 3-D laser light show, kids castle, roving entertainers, sand sculptures and a Memorial Day ceremony and parade. Mr. Kuckkahn said that event partners i.e., the Rockville Chamber of Commerce, Rockville Jaycees, American Legion Post 86 and numerous other veterans groups, community and civic organizations, as well as local PTA groups, all contributed to the success of the event.

3. Mr. Kuckkahn said that staff was recommending that the Mayor and Council remove Consent Agenda Item 11(G), a Bid Award for refuse collection at City facilities. Mr. Kuckkahn said that the Bid Award would be brought back for consideration

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at a future meeting date.

4. Mr. Kuckkahn suggested that the Mayor and Council modify the sequence of the Proclamations that will be presented this evening in order to facilitate the Mayor and Council's presence at the podium.

Re: Proclamation declaring May 30, 1997, Memorial Day, as
ROCKVILLE POPPY DAY.

Proclamation No. 7-97

By a unanimous vote of the Mayor and Council, May 30, 1997 was declared "Rockville Poppy Day." Upon the request of the Mayor, Councilmember Marrinan read the Proclamation, the full text of which can be found in the 1997 Proclamation File of the Mayor and Council. The Proclamation was presented to Marilyn Rykoskey, member of the Henderson Edmonds Unit 86, American Legion Auxiliary. The 1997 Poppy Girl, Sara Rykoskey, distributed poppies to the Mayor and Council and audience.

Re: Proclamation Declaring May 17-23, 1997 as **SAFE BOATING WEEK.**

Proclamation No. 8-97

By a unanimous vote of the Mayor and Council, May 17-23, 1997 was declared "Safe Boating Week" in Rockville. Upon the request of the Mayor, Councilmember Wright read the Proclamation, the full text of which can be found in the

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1997 Proclamation File of the Mayor and Council. The Proclamation was presented to Commander Barbara Ann Schantz, Executive Officer Donald Heaney, Safety Officer Lt. Art Wykes of the Rockville Power Squadron. Photographer Lt. Robert Goley accompanied the group.

Re: Proclamation recognizing May
18-24, 1997 as **NATIONAL
PUBLIC WORKS WEEK.**

Proclamation No. 9-97

By a unanimous vote of the Mayor and Council, May 18-24, 1997 was declared "National Public Works Week" in Rockville. Upon the request of the Mayor, Councilmember Dorsey read the Proclamation, the full text of which can be found in the 1997 Proclamation File of the Mayor and Council. The Proclamation was presented to Hal Cranor, Director of Rockville's Public Works Department.

Re: Proclamation recognizing May
11-17, 1997 as **HISTORIC
PRESERVATION WEEK.**

Proclamation No. 10-97

By a unanimous vote of the Mayor and Council, May 11-17, 1997 was declared "Historic Preservation Week" in Rockville. Upon the request of the Mayor, Councilmember Harrison read the Proclamation, the full text of which can be found in the 1997 Proclamation File of the Mayor and Council. The Proclamation was presented to Philip Cantelon, President of Peerless Rockville Historic Preservation, Ltd.

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Re: Presentation of Peerless
Rockville's 18th Annual Awards
for Historic Preservation.

Philip Cantelon, President of Peerless Rockville, introduced the members of the 1997 Peerless Rockville Awards Committee: Stacy Wood (Chair), Gary Funkhouser, Helen Heneghan, Peg Sante and Anne Taylor. The Eighteenth Annual Awards for Historic Preservation were presented as follows: Senator Jennie Forehand presented awards to the Twinbrook Citizens Association for a community project involving creation of a wall, sign and plantings as a gateway to the Twinbrook neighborhood; to Rockville Center, Inc., HOK Architects, and the City of Rockville for beautification efforts in Courthouse Square Park and Rockville Town Center.

Judy Hruz of The Gazette Newspapers, presented awards to Robert and Melissa Hynes of 533 Beall Avenue, for reconstruction of the front porch, and to Washington Joint Venture at 110 South Washington Street for exterior restoration and accessibility of a commercial property.

Bill Parris of WINX Radio, presented awards to Walter Hsu of 216 Baltimore Road, for preservation and exterior restoration of a residential property, and to the Rockville Historic District Commission for street signage and publication of the Property Owners' Booklet on Historic Preservation.

Public Information Officer Rebecca Feaster presented awards to Joseph and Sherry Tomely of 22 Wall Street, for interior restoration of a residence, and to Federal

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Realty Investment Trust of Congressional Plaza for commercial renovation and revitalization.

Re: Citizens Forum - This time is set aside to hear from any citizen who wishes to address the Mayor and Council.

1. Ruth Hanessian, 303 Highland Avenue thanked the Mayor and Council for presenting Pinneberg with the comforters designed by the Kiwanis Club and Peerless Rockville that show historic scenes in the City. Ms. Hanessian invited the Mayor and Council and audience to participate in the Blessing of the Animals on May 23rd at the Animal Exchange. The tradition of blessing the animals began in 1989 when the City was privileged to have the Budweiser Clydesdales in town for the Hometown Holidays parade. Ms. Hanessian invited the Mayor and Council and all residents to attend the blessing in an ecumenical service celebrating the human companion animal bond.

2. Rob Bostnick, Resident of the Willows Subdivision said that an individual purporting to represent the community, said that the community would accept the proposal to place a PCS (Personal Communication Services) monopole on the water tower, if it was reduced in size. Mr. Bostnick said that this was not true as the community was still very much against the construction of the monopole and the height was irrelevant. He said the residents encouraged PCS to look at alternate sites which would not have adverse impacts on the community.

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3. Bob DeGroot, President, Woodley Gardens Civic Association said that at the last meeting, he described a problem he thought was occurring with the streams on the King Farm. The developers told him that certain streams would be channelized, which he said was a real concern. He was assured later that the streams would be very well protected although others would be destroyed. The stream had been partially channelized because it had been reclassified as a ephemeral stream. He said that any stream which held water after a couple of days of rain, was not a ephemeral stream. COUNTS monitored the stream closely and it had water flowing for several months. He said that the stream was at least an intermittent stream and should have the same protection as other streams on the King Farm. He said COUNTS also located one of the springs which fed the stream and found that the spring was still very active and was now cut off from the main channel and destroyed. Mr. DeGroot said that protection was needed for the existing springs and he asked for assurance that the rest of the streams would receive the same protection that the other intermittent streams on the King Farm. Mr. DeGroot said that he was informed that the City had no environmental regulations, and he urged the Mayor and Council to put regulations into place.

Mr. Kuckkahn said that staff met with Mr. DeGroot some weeks ago on the issues raised. When the map was developed, experts from the County's Park and Planning Commission, as well as the City's own consultants and staff, went on-site and looked at the various environmental aspects and features. He said that they were satisfied

that the designation of the stream was listed on the mapping and that the design was appropriate. Mr. Kuckkahn said that staff was sensitive to the issue of damaging springs and other natural features. He said that in the ephemeral stream, there were quite a bit of cultural impacts. The stream would have a 150-foot wide strip of open space which will include plantings, vegetation, wetland plantings, and trees to help moderate temperatures and enhance the character and environmental aspects of the stream. Mr. Kuckkahn confirmed that a channelization of that feature had been done; however, he said it would be restored in an environmentally sensitive way as much as possible.

4. Randy Slovic, Sierra Club said that she recently assembled water quality monitoring data from the Cabin John Creek since 1990. Since that time, there had been a rapid decline in the water quality in the stream. Ms. Slovic reminded the Mayor and Council that the City spent almost \$2 million dollars for stream restoration for the construction of Wootton Parkway that might not have been necessary if the six acres of wetlands affected by the development had been protected. Ms. Slovic read a statement explaining what occurred with that development. She encouraged the City to protect the environment and not allow the King Farm developers to renege on the environmental agreements. Mr. Kuckkahn said that there was a great difference between the King Farm and some of the former developments seen in the City. He pointed out that nearly half of the King Farm property was held in open space for tree preservation and other environmental aspects. He invited Ms. Slovic to come in so that staff can explain the

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environmental issues to her. Mayor Krasnow asked staff to provide the Mayor and Council with a map of the streams on the King Farm, information on how they were being replaced, and what effect the replacements would have.

5. George Northway thanked the Mayor and Council for acknowledging the passing of Matthew McCartin. Mr. Northway said that he had the honor of serving on the City Council during Mr. McCartin's tenure as Mayor. Mr. Northway said that many accomplishments took place under the former Mayor's tenure. The City hired Larry Blick as the first Rockville City Manager; Rockville was the first in the State of Maryland, and possibly in the Country, to recognize a holiday commemorating the birth date of Dr. Martin Luther King, Jr.; and the City formed the Traffic and Transportation Commission and hired a Traffic Engineer. Mr. Northway said that Mr. McCartin also started the tradition of Mayor and Council drop-in visits for City residents.

6. Reverend Mansfield Kaseman, Community Ministries of Rockville said that he also appreciated the Mayor and Council's recognition of former Mayor Matt McCartin. Mr. Kaseman noted that the newspaper report of his death incorrectly reported that he served with the County's community ministries program. Mr. Kaseman said he was pleased to report that Mr. McCartin's service was actually with the City of Rockville's Community Ministries Program.

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Re: Appointments

Upon motion of Councilmember Wright, duly seconded and unanimously passed, Mark Chatfield and John Hall were appointed to the Traffic and Transportation Commission.

Upon motion of Councilmember Marrinan, duly seconded and unanimously passed, Alice Bell, Stanley Klein, Alan Levine, and Herb Pennock were reappointed to serve on the Traffic and Transportation Commission.

Re: Approval of Minutes

Upon motion of Councilmember Dorsey, duly seconded and unanimously passed, the Minutes of Meeting No. 05-97 (January 27, 1997) were approved as written.

Upon motion of Councilmember Marrinan, duly seconded and unanimously passed, the Minutes of Meeting No. 06-97 (January 28, 1997) were approved as amended.

Upon motion of Councilmember Harrison, duly seconded and unanimously passed, the Minutes of Meeting No. 07-97 (February 3, 1997) were approved as amended.

Upon motion of Councilmember Wright, duly seconded and passed by a 4 to 0 vote (Councilmember Harrison abstained as he was absent from the meeting), the Minutes of Meeting No. 08-97 (February 10, 1997) were approved as amended.

Re: Consent Agenda

Councilmember Harrison requested removal of Consent Agenda Item N,

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and Mayor Krasnow requested removal of Consent Agenda Item A. Upon motion of Councilmember Wright, duly seconded and unanimously passed, the following consent items were approved:

- (B) Award of Modification to Bid #16-96
To: Boyle Engineering Corporation
Of: California
In the amount of: \$80,907

For: Additional work identified during the design process for the Water Treatment Plant Intake structure.

- (C) Award of Contract
To: Watek Engineering Corporation
Of: Greenbelt, MD
In the amount of: \$34,778

For: Shop Drawing Review and construction coordination in the Water Treatment Plant Intake Rehabilitation Project.

- (D) Award of Bid #53-97
To: Duke's Sales and Services, Inc.
Of: Syracuse, NY
In the amount of: \$58,700

For: Chemical root control as preventive maintenance of City sanitary sewer mains.

- (E) Award of Bid #74-97
To: Atlantic Machinery
Of: Silver Spring, MD
In the amount of: \$154,928.00

For: One Combination Sewer Vacuum Cleaner

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- (F) Award of Bid #80-97
To: Beltway Paving Co., Inc.
Of: Waldorf, MD
In the amount of: \$42,980

For: Resurfacing Redgate Golf Course
Parking Lot and Restripe.
- (H) Rejection of Bid #83-97
To: Magco, Inc.
Of: Jessup, MD
In the amount of: \$132,800

For: North Indoor Pool Reroofing
Project
- (I) Award of Bid #88-97
To: Pickens & Sons
Of: Clarksville, MD
In the amount of: \$69,400

For: Construction of Welsh Park
Children Shelter
- (J) Award of Bid #35-97 (Addition)
To: Central GMC Truck Center
Of: Landover, MD
In the amount of: \$54,238.84

For: Additional 35,000 GVWR Dump
Truck
- (K) Award of Bid #6507000193
To: Century Ford
Of: Rockville, MD
In the amount of: \$99,182

For: Multi-vehicle acquisitions

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- (L) Award of Bid #6507000193
 To: Criswell Chevrolet
 Of: Gaithersburg, MD
 In the amount of: \$33,011.44

For: Multi-vehicle acquisitions

- (M) Introduction of Resolution to amend
 Section 3 of Article III of the Charter of
 the City of Rockville so as to change
 the deadline for filing as a candidate in
 the City's biennial election from 45
 days to 60 days preceding that election.

Re Item (A) - Award of Bid #84-97 -
 Milling Contract

To: Fort Myer Construction
 Corporation
 Of: Washington, D.C.
 In the amount not to exceed: \$60,000

For: Milling of the existing asphalt
 surface of various streets.

Mayor Krasnow requested removal of the Bid Award for a contract to mill the existing asphalt surface of various streets in the City. She said that this was a deviation from the way the City had conducted its street maintenance. In the past, the City overlaid an additional coating of asphalt and there were now some situations where an excessive buildup of asphalt must be removed and a new surface course applied. Mayor Krasnow noted that the award amount of \$60,000 was not a particularly high amount and she questioned whether the milling would take place on all of the streets being smooth sealed. Public Works Director Hal Cranor said that the plan was to look at each

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street and continue with the 10-12 year cycle of smooth sealing. When the City reached those areas where excessive asphalt built up, those streets would be milled. The milling operation would fluctuate from year-to-year and determine how many of the streets would be milled and how many would be smooth sealed. Upon motion of Mayor Krasnow, duly seconded and unanimously passed, Bid #84-97 was awarded to Fort Meyer Construction Corporation for a milling contract.

Re Item (N) - Acceptance of Text
Amendment Application TXT97-0163,
Rockville Center, Inc., Applicant.

To amend Article IX, Parking, Loading
and Access Requirements and Article
XIII, Town Center Planning Area of the
Planning and Zoning Ordinance to
modify the parking requirements
associated with the Preliminary
Development Plan development option.

Councilmember Harrison requested removal of the Acceptance of Text Amendment Application TXT97-0163 because he wanted to point out that the proposal was to modify parking requirements which would result in a significant reduction of parking spaces required to be provided by Rockville Center, Inc. (RCI). Mr. Harrison said that he was concerned about the amendment which would result in a 500 space reduction for the developer. The City had an agreement with the developer to cause a parking garage to be constructed, and with the reduction of 500 spaces, the citizens of Rockville should benefit from the reduction, rather than RCI. He said that if RCI needed

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500 fewer spaces for parking, then the reduction should come out of the parking garage. Mayor Krasnow said that RCI was still required to provide 1,000 spaces and the City was required to build a parking garage at such time when their spaces were not adequate. Mayor Krasnow said that she agreed there were still many issues to be worked through. The concerns had been conveyed to RCI and she asked that staff also make the Planning Commission aware of the concerns raised.

Upon motion of Councilmember Harrison, duly seconded and unanimously passed, Text Amendment Application TXT97-0163 was accepted.

Councilmember Marrinan noted that Consent Agenda Items (J), (K), and (L) awarded bids for the purchase of new vehicles. He pointed out that the criteria for such purchases was established more than six years ago, and not everyone was familiar with the policy for vehicle purchases. Mr. Marrinan suggested that the Mayor and Council and citizens of Rockville familiarize themselves with the policy, and if appropriate, direct staff to review the policy to make sure that it was still appropriate.

Re: Presentation of Fiscal Year 1998
Budget.

The City Manager transmitted the recommended budget for the fiscal year beginning July 1, 1997. Mr. Kuckkahn said that on behalf of the City employees and citizens who helped with the FY 1998 Budget and CIP program, he was pleased to convey the budget to the Mayor and Council and the Rockville community. He said that every step possible was taken to address issues facing the City in the next year. Using a video

presentation, Mr. Kuckkahn outlined the FY 1998 Budget issues.

Fiscal Year 1998 Rates

- The FY 1998 tax rate will be maintained at 82 cents per \$100 of assessed valuation.

- The FY 1998 water rate will also be maintained.

- The sewer rate will increase from \$2.79 to \$2.94 per thousand gallons of consumption. The increase is due in large part to Blue Plains environmental mandates and new sewer construction.

Mr. Kuckkahn said that the total dollar increase for an average Rockville household was \$7.50 cents per year, or \$0.60 cents more per month.

- Revenues - The City saw significant increases in licenses and inspections. This is in addition to growing developer extractions significantly added to revenues or defrayed expenses. The City's real estate tax base remained somewhat stagnant. With the new King Farm development on the horizon, prospects for the future were good.

- Technology - The proposed budget reflected the Mayor and Council's commitment to ensuring that the best technology was available to enable the City to retrieve and exchange information inside and outside of the City as well as to better evaluate data to guide decision making. The capability is being expanded through the City's new Wide Area Network, web access, and Internet presence. With help from our Mayor and Council and citizen driven Rocknet, the City achieved a great deal, but still

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had a lot more to do. General government and individual City departments will have a new expanded electronic presence with more informative home pages and expanded e-mail capabilities. The proposed webmaster position and technical support position will address the technology issues and help accelerate work in this area.

- Visioning - The budget continued support of the Mayor and Council's visioning process. With search conferences and the Vision and Action Fairs completed, the City was now poised to help the community achieve the visions.

- Capital Improvements Program (CIP) - The CIP program continues the Mayor and Council's commitment to monitoring the outstanding condition of the City's infrastructure with water tank rehabilitation and the repair or improvement of roads, bridges, sidewalks, curbs, parks, and playgrounds. All of the CIP projects can be accomplished without having to obtain bond funding. The public portion of the infrastructure for Town Center is nearing completion. Construction of a new recreation center in Twinbrook will be a significant investment to assure continued stability in real estate values.

Work continues on a variety of environmental programs including stream restoration and an ambitious storm water management program. Replacing and caring for the City's urban forest is a significant undertaking, and with technology, the City will have up-to-date and complete tracking of this asset.

Maintenance of road surfaces over the years resulted in a predicted build-up

of smooth seal coats. For this reason, milling, or shaving down the entire road before resurfacing, will be part of the FY 1998 CIP program. The City is purchasing milling equipment to correct conditions such as water pockets, bumps, chronic surface failures, and abrupt changes in elevation along the curb.

- Economic Development - An Economic Development Corporation will be formed in FY 1998 and the effort is fully funded. Strong support from the business community has continued, and with a sensitivity to the resident neighborhoods, staff is confident that the approach was right for Rockville.

- General Information - Property taxes generated the majority of City revenues with intergovernmental revenues in the form of tax duplication, income tax, police grants including a federal grant, and motor vehicle gas tax contributing 25% of our revenues. General fund revenues look very good in the coming year, although property tax collections have been declining in recent years. This is expected to improve in the near future. Income tax revenues continue to be strong reflecting the City's low unemployment level. Increasing enrollments in an array of programs will generate new revenues and development of creative partnerships, sponsorship and advertising in the City's day-to-day programs, the overall revenue picture looks better this year as compared to the past. Mr. Kuckkahn said that it was important to note that City assumed no King Farm revenues in the FY 1998 budget, reflecting a continued conservative approach to revenue projections. A mid-year adjustment may be desirable, particularly in the

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inspections area if significant development occurred.

The City is a labor intensive and service organization which is reflected in its spending. Operating expenditures included contracts for services such as cleaning, mowing and maintenance, and Mr. Kuckkahn said that one could determine that nearly 65% of the budget was related to the human element of our service.

The City's rate of total increase was down over 1% reflecting not only a conservative approach to budgeting, but also the capabilities of the existing workforce through enhanced training and acquisition of technological tools.

In FY 1998, staff will look into reforming the way the City communicates with its neighborhoods. During the past year, the City acted on many important projects, which by nature, impacted the neighborhoods. Traditional methods of notification and inclusion such as City newsletter, Cable 53, neighborhood fliers, open houses, and public hearings did not seem to be adequate means of notification. For this reason, staff will be recommending a comprehensive citizen-oriented review of the notification process with the goal of formalizing new ways to inform and involve residents. The City's high levels of service delivery will continue and the City will continue to examine how to better or more efficiently deliver services. Last year, the City took over recycling services and this proved to be a success. The combining of community services and police services into the new Department of Public Safety reinforced the City's ability to assure a safe and secure community, free of many of the

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chronic problems facing urban areas throughout the country. The City will continue to examine opportunities and predict change. A pay-off of our State pension obligation will save the City a great deal of money. Mr. Kuckkahn said the City will also continue to provide strong support to the business community through the Rockville Chamber of Commerce, independent corporate contacts and the soon to be implemented Economic Development Corporation. Also important were those residents with fragile economic conditions who can continue to expect the citizens of Rockville to help them in their time of need.

On behalf of City government, Mr. Kuckkahn thanked the agencies, organizations, groups and individual volunteers who gave so freely of their time this past year, and he looked forward to the same level of support in Fiscal Year 1998. Mr. Kuckkahn noted that the public hearings on the proposed Budget were scheduled for May 20 and June 2. Budget Worksessions will take place on May 27 and June 9, if needed. The Mayor and Council plan to adopt the FY 1998 Budget on June 16.

Councilmember Wright asked that staff provide for the Mayor and Council's first Budget Worksession, pie charts on the General Fund Revenues and where the dollars were spent in FY 96 and FY 97, as well as some indication of what the trends were and where changes took place. Mayor Krasnow said that the Mayor and Council was pleased that the City's notification process will be reviewed.

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Re: Introduction of Ordinance to
Appropriate Funds and Levy
Taxes for Fiscal Year 1998.

Upon motion of Councilmember Marrinan, duly seconded and
unanimously passed, the Ordinance setting the operating and capital budgets for Fiscal
Year 1998 was introduced. The proposed property tax rate is 82 cents per \$100 of
assessed valuation.

Re: Introduction of Ordinance to
amend Section 24-47 of the
Rockville City Code, entitled
"Sewer Usage Charge."

Upon motion of Councilmember Harrison, duly seconded and unanimously
passed, the Ordinance to amend the Rockville City Code to increase the rate from \$2.79
to \$2.94 per thousand gallons of consumption, effective July 1, 1997, was introduced.

Re: Introduction of Resolution to
establish service charge rate for
municipal refuse collection.

Upon motion of Councilmember Dorsey, duly seconded and unanimously
passed, the Resolution was introduced.

Re: Adoption of Resolution to
authorize signatures for City
bank accounts.

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Resolution No.5-97

Upon motion of Councilmember Harrison, duly seconded and unanimously passed, the Resolution authorizing the signatures of Rick Kuckkahn, Paula Jewell and new Finance Director Donna Boxer for City bank accounts was adopted. A copy of the complete Resolution may be found in Resolution Book No. 11 of the Mayor and Council.

Re: Discussion and Instructions to
staff regarding Annexation
Petition ANX96-0123, Eastern
Diversified Properties and the
related C-2 zoning request.

The area proposed for annexation is a 5.66 acre parcel at 15625 Frederick Road, between Indianola and Paramount Drives, across from the King Farm. The proposed use for the parcel will be a new car dealership. The petitioner is requesting that the property be placed in the City's C-2 General Commercial Zone. Staff provided the Mayor and Council with a chronological history of the property, which the Mayor and Council said was very helpful. Following questions from the Mayor and Council which were responded to by Community Development Director Neal Herst, staff was directed to bring back an ordinance to grant the zoning as well as the resolution approving the annexation. Mayor Krasnow noted that the City required a special exception for automobile dealerships and the County did not. She said that special exceptions should continue to be a requirement for automobile dealerships so that the City would always have additional input into the process.

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Re: Discussion and Instructions to staff regarding the proposed Economic Development Corporation.

The Mayor and Council discussed the draft Articles of Incorporation for the proposed Economic Development Corporation and made the following decisions:

- On Page 2 (Purpose clause (d)) - amend this to read "To encourage the formation of new business enterprises in the City and to attract new businesses to the City.
- On Page 4 (Preamble #7) - re-word to exclude members of the executive board members from receiving compensation.
- The Mayor and Council don't wish to be so restrictive that the corporation could not bring to their attention, legislative issues of concern. However, they also feel that the City should not be funding efforts to lobby the elected officials. Mr. Glasgow suggested that the corporation be required to first bring forth, for the Mayor and Council's approval, legislative matters prior to engaging or compensating others to advance their needs.
- Make sure that the Bylaws contain a provision for the Mayor and Council to remove a director with or without cause.
- Stipulate in the Bylaws that board members need to be representatives of businesses in the City of Rockville or business people who are residents of the City.
- The Mayor and Council discussed at length ideas for a formula to determine the allocation of citizen representatives on the Board. The Mayor and Council

generally agreed that a percentage basis should be used rather than a numeric term.

It was agreed that an internal policy on this provision should be drafted, rather than stipulating a provision in the Bylaws.

- The Economic Development Corporation should be encouraged to seek synergy with the Cultural Arts Commission. The corporation should also be encouraged to address issues such as affordable housing, skilled labor issues, and to connect with education issues in the City. In addition, the Alliance of Rockville Citizens (ARC) pointed out four areas that formed the basis for evaluating the role and objectives of the Economic Development Corporation. Mayor Krasnow said that it would be interesting to see a staff analysis of the four issues raised by ARC; however, the issues should not hinder the creation of an economic development corporation.

The City Attorney was directed to bring forth the amended Articles of Incorporation along with the corporation's Bylaws to the next General Session.

Re: F.Y.I./Correspondence

1. Mayor Krasnow noted the many letters of appreciation to staff members. She noted in particular, two letters; one from the Montgomery County Police Department to Teresa James thanking her for providing information on the City's Community Mediation Program. The Police Department is considering implementation of a similar program in the County. Mayor Krasnow also noted a letter of appreciation for Officer Bob Rappoport's work as a Community Services Officer. She congratulated Officer

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Rappoport for an outstanding job as the City's community liaison officer.

Re: New Business

1. Councilmember Wright noted Bob DeGroot's earlier comments referring to environmental laws that the City might consider. Mr. Wright clarified that the State did have such laws and was operating under those laws. He asked whether the County had any environmental legislation that the City was also following. Mr. Glasgow confirmed that the City did have a number of environmental laws--the sediment control law, storm water management law, the tree preservation law. He noted that Rockville was a leader in storm water management and sediment control measures and had been on the forefront of many initiatives. Mayor Krasnow agreed; however, she said that the City still needed a stream buffer law and some regulation as to how close development structures could be built next to park land.

2. Mayor Krasnow noted that the State Highway Administration scheduled a series of public hearings on the Inter-County Connector project. The decision to build or not build the ICC connector would have a definite impact on the City, and she encouraged residents to participate in the hearings.

Re: Adjournment

There being no further business to come before the Mayor and Council, the meeting was adjourned at 10:19 p.m. to reconvene at 7:30 p.m., in Public Hearing on May 19, 1997, or at the call of the Mayor.